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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LLOYD ET AL.	Examiner:	UNKNOWN
Serial No.:	10/758,987	Group Art Unit:	1762
Filed:	JANUARY 16, 2004	Docket:	60044.97US01
Title:	TERMITE TUBING PREVENTATIVE FOR NON-WOOD MATERIALS		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 27, 2006.

By: Bridget D. Gabriel  
Name: Bridget D. Gabriel

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 12 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: John L. Haack  
Name: John L. Haack, Ph.D.  
Reg. No.: 36,154  
JLH/bogabriel



S/N 10/758,987

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By:

*Bridget D. Gabriel*

Name: Bridget D. Gabriel

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2) and § 1.98(d), copies have been provided only for those items listed on the enclosed Form 1449 that have not previously been cited by or submitted to the U.S. Patent and Trademark Office in the original application, U.S. Serial No. 10/758,987 filed on January 16, 2004.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

With best regards,  
MERCHANT & GOULD P.C.

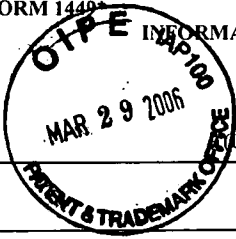


John L. Haack, Ph.D.  
Reg. No. 36,154

JLH:bog



<b>FORM 1449</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 60044.97US01	Application Number: 10/758,987
	Applicant: LLOYD ET AL.	
	Filing Date: 01/16/2004	Group Art Unit: 1762



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
N.L./	6,881,247 B2	04/19/2005	Batdorf			
N.L./	5,346,699 B1	07/14/1998	Tiernan			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
N.L./	62195301	08/28/1987	JP				
	0 248 991	12/16/1987	EP				
	WO 92/22205	12/23/1992	PCT				
	WO 95/35029	12/28/1995	PCT				
	WO 00/11948	03/09/2000	PCT				
	WO 00/15033	03/23/2000	PCT				
	WO 01/17348 A1	03/15/2001	PCT				
	WO 01/87559 A2	11/22/2001	PCT				
	101 32 532 A1	02/06/2003	DE				
N.L./	2003 203 735 A1	04/17/2003	AU				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


23552

PATENT TRADEMARK OFFICE

EXAMINER Neil Levy/ (07/10/2009)	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	